

REQUEST FOR RECONSIDERATION
Application No.: 09/541,597

I. The Rejections Based on Goodall in view of Allen

In paragraphs 3-4 of the Office Action, the Examiner repeats the rejection of claims 9-13 over Goodall (U.S. patent no. 6,136,499) in view of Allen (U.S. patent no. 6,165,678).

In paragraph 5 of the Office Action, the Examiner repeats the rejection of claims 4-8 over Goodall in view of Allen and Aoai.

In paragraphs 1 and 2 of the Office Action, the Examiner provides her response to Applicants' arguments and discusses the comparative data of Applicants' Declaration. In general, the Examiner concludes that the Declaration does not demonstrate any unexpected results with respect to the art applied in the rejection and it is not commensurate in scope with the claims of the invention. The Examiner also states that there is no discussion of the results in the Declaration, other than to say they are unexpectedly superior. Further, the Examiner concludes that the data presented is not unexpected or superior.

Applicants respectfully submit that the present invention is not anticipated by or obvious over Goodall in view of Allen (and Aoai) and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

Further to the Remarks and the 132 Declaration filed May 9, 2001 (the executed copy of the 132 Declaration was filed May 30, 2001), Applicants have prepared additional comparative data to show the unexpected improvements achieved by the claimed invention over the disclosures of the cited art. Filed

REQUEST FOR RECONSIDERATION

Application No.: 09/541,597

concurrently herewith is a unexecuted Declaration under 37 C.F.R. §1.132. An executed version of the Declaration will be filed in due course to complete the record.

As set forth in further detail in the Declaration, the examples described in Table 1 of the Declaration are representative of the three components (an acid decomposable resin, a photo-acid generator and a surface active agent (i.e., surfactant)) according to claims 4 to 8 of the present invention.

As is apparent from the comparison between Example a and Comparative Example a', the comparison between Example b and Comparative Example b' and the comparison between Example c and Comparative Example c', the inventive examples show an unexpected decrease in the number of development defects. Further, excellent and unexpected effects in the defocus latitude depended on line pitch are obtained by the combination of claimed resin and the claimed solvent of the present invention. Still further, the inventive examples also show an excellent and unexpected improvement in the initial value of the particle (i.e., the particle number is less at the initial stage).

Therefore, it is believed that the present invention shows unexpected superiority over the combination of Goodall, which does not disclose the surfactant of the present invention, and Aoai and Allen, which do not disclose the resin of the present invention.

REQUEST FOR RECONSIDERATION
Application No.: 09/541,597

The examples described in Table 2 of the Declaration are representative of the acid decomposable resin, photo-acid generator and surfactant according to claims 9 to 13 of the present invention.

As is apparent from the comparison between Example d and Comparative Example d', the comparison between Examples e-1 to e-4 and Comparative Example e' and the comparison between Example f and Comparative Example f, an unexpected and excellent effect in storage stability over time can be obtained by the combination of the claimed resin and the claimed mixture of solvents and amounts.

That is, as is apparent from the comparison between the particle initial value and the value of the particle number after storage, in the inventive examples, the particle number at the initial stage is unexpectedly less than those of the comparative examples and further the increase in particle number after storage (i.e., after the passage of time) is unexpectedly less.

The effects of the claimed invention are unexpected over the disclosures of Goodall, which does not disclose the surfactant or the mixed solvent of the claimed invention, and Allen, which does not disclose the resin of the claimed invention.

Further to Tables 1 and 3 of the specification as discussed in the Declaration, W-2 is Megafac R08 as set forth on page 136 of Applicants' specification; PAG-1 denotes triphenylsulfonium triflate as set forth on page 135 of Applicants' specification; Resin (1) is described at pages 121-123 of Applicants' specification;

REQUEST FOR RECONSIDERATION

Application No.: 09/541,597

Resin (1c) is described at page 141 of Applicants' specification; Solvents S1-S5 are propylene glycol monomethyl ether acetate, propylene glycol monomethyl ether propionate, ethyl lactate, propylene glycol monomethyl ether and butyl acetate, respectively, as described at pages 121-123 of Applicants' specification; PGMEA is propyleneglycol monomethyl ether acetate; "56*" means a compound synthesized in Example 56 of Goodall et al; and "57**" means a compound synthesized in Example 57 of Goodall et al.. The meaning of the evaluation tests are also discussed in Applicants' specification, for example, at pages 131 and 136.

For the above reasons, it is respectfully submitted that the subject matter of claims 9-13 is neither taught by nor made obvious from the disclosures of Goodall in view of Allen and that the subject matter of claims 4-8 is neither taught by nor made obvious from the disclosures of Goodall in view of Allen and Aoi and it is requested that the rejections under 35 U.S.C. §103(a) be reconsidered and withdrawn.

II. Conclusion

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the rejections under 35 U.S.C. §103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

REQUEST FOR RECONSIDERATION
Application No.: 09/541,597

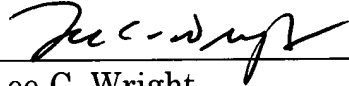
If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

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Lee C. Wright
Registration No. 41,441